possession and the second second

feature of Mr. James Fosburgh's attire by saying that he observed that the young man did not have his suspenders over his shoulders, but that they hung down in loops about his hips. In the course of his testimony Mr. Fosburgh touched upon this ty saying that he had noticed that Detective Chapman, in his testimony, had described how his suspenders hung on that night, whereas, as a matter of fact, he had not had on a pair of suspenders for five years.

There was another point where Mr. Fosburgh's and Detective Chapman's testimony touched upon the same subject. Under the questions of the counsel for the prosecution Detective Chapman said that he did not know of any burned matches having been found lying about the floors of the rooms in the Forburgh house after the tragedy; he might have heard something to that effect, but he did not know anything about it, personally. But in his own house burned matches had been mything about it, personally. But in this own house burned matches had been ound lying about the floor on the morning following the tragedy and Mrs. Chapman, his wife, told him she believed that man, his wife, told him she believed that burglars had been in the house. He said he gathered them up and turned them ever to the chief of police, just to ease his wife's mind. He denied positively that he had said to people after the Fosburgh tragedy that this was a case of "I told you so" and had in that connection referred to the finding of matches in his

referred to the finding of matches in his own house.

Counsel for the prosecution, whose witness young Mr. Fosburgh was, did has six him anything about the finding of basic him anything about the finding of basic him anything about the finding of his, the Fesburgh, house. Counsel for the defense, Mr. Joyner, in cross-examination did. In reply to Mr. Joyner's questions, Mr. Fesburgh said that burned on the floor of the unocounted room, on the back stairs and on the floors of several other rooms. These matches, he said, were found by some of the policemen, while he had found others. All were taken charge of by the police and he presumed they were in the custody of the chief. The witness said that they were what is known as "lumber matches—that is, matches made on a stick, something like a comb, and are broken off as they are wanted for use. He further teatified that there were no such matches in his heme, the family using the Diamond or parlor match exclusively. The prosecution has not yet introduced in evidence these burned matches found scattered about on the floor all over the house on the morning following the tragedy. A peculiarity of the kind of match the witness Fosburgh described them to be is that they are a sulphur match, make no noise when they are struck, and so, presumably, would be a useful article

is that they are a sulphur match, make no noise when they are struck, and so, presumably, would be a useful article of a burglar's ecotoment.

So far as the spectators in the court room were concerned this testimony of Mr. James Fosburgh was an agreeable change to the dull monotony of much of the evidence for the State that has been introduced. The State has, even up to to-day, concealed its case against Mr. Fosburgh with so much skill that the spectators who did not know what plan of action the prasecution had adopted have been at a loss to guese what most, if not all, of the testimony thus far introduced meant as bearing upon the guilt of Mr. Robert Stewart Fosburgh, the defendant.

When questions have been asked about When questions have been asked about

When questions have been asked about this testimony and how it pointed toward Fosburgh's guilt, it has been explained that it was only to "lay a foundation" for the structure of overwhelming evidence against the defendant which the Chief of Police has been rearing and cementing together during nearly a year past. People groping in the dark and asking in their bewildered, unillumined way, when the case for the State was going to begin, have been put off by those supposed to know the prosecution's secrets, with such mysterious expressions as: "Just you wait," the Chief knows what he is about." Never you mind, all this is mere foundation work. you mind, all this is mere foundation work. You'll hear what the Chief has got to bring

out all in due time, and then you'll open your eyes."

Up his flowing necromancer's sleeves and under his peaked wizard's hat there are, metaphorically speaking, all sorts of rabbits, white mice and other surprising electric flowed things in the way of eye or rabbits, white mice and other surprising sleight-of-hand things in the way of evidence that he is liable to let loose just when you least expect it. They all call him "The Chief" here. There is, of course, but one chief, and he is it. So why put "police" to the title? It is narrowing. If there is anything Pittsfield loathes it is narrowness.

is narrowness.

There was even a flutter to-day about the "great surprise." It was coming in the testimony of Dr. Scofield, people said, They said last week it was coming in the testimony of Dr. Paddock. When Dr. Paddock failed to produce it they said:
"Never mind, wait till Dr. Scofield is called." "Never mind, wait till Dr. Scofield is called."
Dr. Scofield was the first physician to get
to the house after the tragedy.
Mr. James Fosburgh testified to-day

Mr. James Fosburgh testified to-day that after telephoning to a number of physicians, none of whom could or would come he at last got Dr. Scofield.

Just what the nature of the sacrifice was which Dr. Scofield had up his sleeve nobody undertook to guess. There was a pretty general belief, though, that he had it, and when his name was called there was quite a flutter in the court room followed by a general disappointment Dr. Scofield did not come. He was not in the court room and did not appear until after a witness or two had been examined. Then he was called for the second time. This time he appeared Again there was a buzz and a flutter in the crowded court room.

owded court room.

People settled themselves in their seats
and leaned forward expectantly. At last and leaned forward expectantly. At last some testimony with grip in it was to come. But here again there was a disappointment. Dr. Scofield's evidence was of the old structural, fundamental kind. People knew this just as soon as they began to think his testi-mony leaned toward the defence. They knew then it was structural, and

much of the structural evidence, when un-illumined by what the State has up its sleeve, sounds as though it really were Mr. A. A. Fobes, a very tedious witness,

who made the plans of the Fosburgh house and grounds, and of whom it seems there is never to be an end during the trial, was the first witness called and there was a good deal of time consumed in questioning him on particularly arid technicalities.

Then came two young men named Hall an i Hayes, very greatly embarrassed and apparently incapable, under either persuason or menace, of replying to questions in a yother way save in rumbles and whispers. They test fled to finding about 100 yards from the Fosburgh house, at about 4 o'clock on the morning of the tragedy, a pair of blue, white-striped socks.

pair of blue, white-striped socks.

Then came Mr. William Dunn, a member of the Pittsfield Fire Department, who testified that at the same date and at about the same hour he found a pair of trousers and a pillow case on the road, about four or five blocks from the Fosburgh house. Hill and Hayes testified that in the dust of the road near where they found the socks there were imprints of hare feet—the bare feet were imprints of bare feet -- the bare feet apparently of a single person, footprints that were broad and about ten inches long. Two more witnesses testified to being with Dunn when the trousers were found. The State dwelt at some length on the

statement that those trousers when he found them were "hanging" on the fence. On cross-examination it was elicited that the trousers were not hanging on the fence, but that one leg of them was caught up against the board of the fence, as though they had been thrown from the highway. F. S. Wheeler, a local photographer, but cartified to having made photographer, but

testified to having made photographs of the Fosburgh house and of the veranda post on which were finger marks. After ome discussion the photographs were ad-

mitted in evidence.

After this, and on the second call for him, came Dr. W. W. Scotleld, on whose testimony, it was rumored, the State intended to lean heavily. The doctor testifled that he had received a telephone call at 1:30 in the morning to go to the Fosburgh house. It was 2 o'clock when he got there. He first saw some one on the lawn who at once told him he was too late; that the girl was dead. It was too dark to see who this was dead. It was too dark to see who this was. Upon entering the house he saw Officer Fivnn, who took him upstairs. The doctor

nt into the front bedroom. The room was not lighted, but a light was hining from the hall. He then passed into the next room and saw the dead body of Fosburgh. The body was lying di-lly across the floor with the feet about

two feet from the door.

Dr. Scoffeld looked upon the plan and indicated the position of various objects in the room. The nightdress of the girl was overed with blood. The blood covered all other marks on the nightgown. He had a conversation with Mrs. Fosburgh, Sr. She said burglars had tried to kill her bushand. He had talked with the younger

Mrs. Fosburgh, and in compliance with her request, started to attend injuries of her husband. He then noticed the old gentleman, who was badly injured.

He had talked with the elder Mr. Fosburgh, who said he was in bed when something aroused him. He sat up and saw a man with a lantern and a revolver. He arose and grappled with the intruder. He succeeded-in getting a good hold when he was struck from the back. After coming to, he found his daughter dead and his son Robert on the floor. The old man did not say where the burglar had gone. Later, the doctor attended the defendant Later, the doctor attended the defendant for his injuries. The defendant was more or less injured and the doctor dressed his

or less injured and the doctor dressed his injuries. The defendant was dressed, but did not have collar and tie on.

After dressing his injuries, he had some talk with the defendant. The defendant had said he had heard a noise and started to find what caused it. He had gone as far as May's room when he heard a shot and his sister fell back into his arms. He laid his sister on the floor and grappled with a man who confronted him. Then someone hit him from behind. The defendant had told the doctor that the only thing one hit him from behind. The defendant had told the doctor that the only thing taken by the burglar was his revolver and he showed the witness where it was taken from. The defendant had not said anything to the witness shout the degree of light or the way in which the burglar had

anything to the witness about the degree of light or the way in which the burglar had gone.

The doctor had seen Beatrice and had a recollection of seeing another woman. The witness had, with Dr. Paddock, laid the body of the girl on the bed. The witness then saw Mr. Lund and he was sent to call a nurse. The old gentleman had told the witness that a revolver had been found under the bed. He had seen the old hat in the possession of Officer White. He had seen the bursau and had noticed the drawer partly opened. The bursau, he thought, was against the wall. He had seen no overturned lamp. The elder Fosburgh had said nothing about more than one burglar. No one had said anything about the pillow cases or the valuables to the witness.

At this point there was a recess of five minutes, and then Dr. Scofield was crossexamined by Mr. Joyner. The doctor said the women members of the family were in great grief. The elder Mrs. Fosburgh had not, in his recollection, urged that the body be placed upon the bed. The witness had said while in the house that the body would have to remain on the floor until the arrival of the medical examiner. The doctor attended the autopsy. He had seen the elder Fosburgh and saw his injuries. He had told the Fosburgh family that he could not come from day to day, as he had to leave town to attend the funeral of his mother in New York city. He had referred the family to Dr. Paddock. The witness had seen Officer White and Mr. Lund, in addition to the members of the family.

A striking point of Dr. Scofield's testimony was that Mrs. Fosburgh the elder had told him that burglars had attacked her husband and faurdered her daughter. Dr. Paddock, in his testimony, said that Mrs. Fosburgh when he asked her how it all happened, said that she did not know anything about it; that she started to get out of bed and knew nothing more.

Policeman Chapman, who lived only a short distance from the Fosburgh house, testified that he was the first offleer to get there. Mr. Hammond in his opening that diverse in t

testified that he was the first officer to get there. Mr. Hammond in his opening had dwelt upon the statement of Chapman that young Foeburgh had asked him to wait out of doors until the captain came. wait out of doors until the captain came. This the State emphasized as among the suspicious circumstances against young Fosburgh and the family. Policeman Chapman, in his evidence, swore that young Fosburgh did so direct him to go out of

doors and wait.

Question on cross-examination—Did not young Mr. Fosburgh say to you: "The ladies are very nervous and are all undressed. Perhaps you had better wait outside until the captain comes?"

Answer—I do not remember that he did

did.

The much talked of torn nightgown made its first official appearance in the case in the testimnoy of Mary Nash, a washwoman, who testified to receiving such a torn garment with other dirty linen from the Fosburgh house the Thursday following the crime. Mary Nash had the distinction of being the first woman witness who thus for her appeared in the case.

who thus far has appeared in the case.

In his testimony James Fosburgh said he did not get in the window in the cellar and did not break the slat on the screen.

This he did not testify to at the inquest nor did he say so to Col. Whitney He did say to Col. Whitney that he had brushed the mortar from a window, but this was at the rear of the house. The witness said that his brother had at one time re-

said that his brother had at one time requested that some of his talk with Col Whitney be kept a secret.

Mr. Fosburgh remembered there was an article in the Springfield Union regarding burgiars passing through the house without touching any valuables. He remembered meeting Mr. Hayward, the correspondent of the Springfield Union, on North street shortly after. His brother was present at the time and said in a rather positive manner that he did not like the tone of the article. He did not hear his brother use any profane or dehear his brother use any profane or de-nunciatory language, but he (the witness) did place his hand on his brother's shoulder did place his hand on his brother's shoulder and request him to come away without having trouble. His brother did not threaten to knock Mr. Hayward's head off. Mr Fosburgh could not recall having stated at the inquest that he heard a noise like a table being tipped over. There were successive and repeated heavy falls. He could not say it sounded like a table

falling.
The witness said, so far as he knew The witness said, so far as he knew, he was the first person to discover the bullet hole in the bureau. He identified a photograph as one found by him or given to him by somebody. When he telephone Dr. Scoffeld he said nothing about his sister. having been shot or burglars having entered the house. He did not telephone the police that there had been burglars at his house. The photograph, which was of his sister May, was identified by him as having been found on the floor. He placed it on the bureau and while doing so saw the builet hole in the dresser. Then he found the bullet in the comb case. This was some time after the autopsy. He could not say

as to the time.

He could not say to whom he gave the bullet. He did not notice the blood on his sister's nightdress before summoning the doctor. He saw blood flowing from her nostrils. The witness had a faint recollection of Miss Sheldon standing in the doorway of her room as he appeared in May's room. He was not positive of this. Mr. Fosburgh testified he had never stated at the inquest or to the officers that the bureau was in its original position when he found the bullet in the comb case. He heard no call of "police" until he got to Shepardson's house

Mr. Joyner conducted the cross-examinafrom Comment was made during the noon recess on the fact that young Fosburgh, when he saw his sister lying on the floor, had said that he had not asked what was the matter or how she got hurt.

the matter or how she got hurt.
Question by Mr. Joyner:
"Why did you not ask how your sister
was injured?"
A. Why did not I ask that? I saw that
she was hurt; that was all. I thought of
nothing but getting help to her and I went
for the doctor.
Witness further testified under Mr. Joy-

Witness further testified under Mr. Joyner's questions; "We had lunch at 6 or 6:30 o'clock. that we all sat on the veranda until it got dark. My brother, my mother, my sister May and myself each read aloud for awhile. May and myself each read aloud for awhile.

Miss Sheldon played and my sister May
sang several sacred songs. It was about
10:30 when my father and mother went to
hed."

The witness repeated the story told on the direct examination about the illness of his sister-in-law and of the treat-ment of other members of the family. Witness said that when he reached Witness said that when he reached his sister's room her feet were on the sill of the door leading to the hall, her body lying beside the wall. He took hold of her head and pulled her head toward the front of the house. The body was moved again. When his mother and father appeared they were in their nightclothes. He had no impression of seeing Beatrice, but heard her say to her mother: "Oh, look at May." All the persons in the house were in their night clothes.

There were no lights in the Fosburgh office when he arrived and he called "Cen-

office when he arrived and he called "Central," asking him to call Dr. Roberts. When he reached the Shepardson house on the way to the office ne heard his father cry

out: "Police! Murder! Help!" Mr. Fos-burgh said that after returning to the house Beatrice came up to him, put her hands on his shoulder and said: "She is gone." When he reached the house his father placed a sheet over the body of his sister. His father put on his clothing upon the advice of the witness and his mother. In fact, the witness assisted him in dressing This occurred in his father's room. While in his father's room he stooped down to pick up something. Then he saw the revolver on the floor under his father's bed. The hat was never worn by any of his father's family.

bed. The hat was never worn by any or his father's family.

The shoe was found by Officers Flynn and White. The shoe was not his brother's, being too large for him. The witness described the shoe, which was a patent leather button with cloth top.

When asked who went upstairs that Sun-day right first the witness said that his

day night first the witness said that his father and mother and Miss Sheldon went to bed first. His sister-in-law was not feeling well that night. Mrs. Foeburgh, feeling well that night. Mrs. Foeburgh, Jr., went up stairs about the same time that his father and mother did. Other members who remained down stairs made lemonade. He did not retire until about 11:30 o'clock. He was quite tired. He was awakened by a noise in the cellar. He had heard a noise in the cellar the Friday night provides.

previous.

Asked about his awakening, the witness said he jumped out of bed and turned on the electric light in his room and went upstairs into his sister-in-law's room.

His sister-in-law was calling "Jim, Jim!"

His sister-in-law was ahrieking, "Your father has gone crazy! Your father has gone crazy! Your father has gone crazy!" He pushed her aside and ran into his sister's room. His sister May was lying on the floor. The electric light was on. No one else was in the room when he

entered it.

"Do you remember seeing any person in that room?" the examiner repeated. He saw nothing but the body of May. Almost immediately his mother came into the room and was followed by his father.

A number of matches were found about the house; some in the kitchen bedroom, in the carraige house and all the way round. entered it.

The matches were unlike any they had in the house. The next morning they found that the light had been turned off in the

that the light the side door was left where cellar.

The key to the side door was left where the kitchen girl had access to it. She then was accustomed to go up to her room in the attic. She didn't stay there nights. There was no open way from the carriage house up to the attic. The bulkhead was house up to the attic. The bulkhead was house up to the attic. The bulkhead was found open the morning after the tragedy. The witness said his mother had a bad bruise on her shoulder, for which Dr. Paddock prescribed something the next morning.

Some time after Dr Paddock's first visit his mother and father went down into his room and lay down on the bed. Both had been injured and hot compresses

were placed on them.

When he went for a doctor he could not say whether there was a moon shining or whether stars were shining. It was bright enough for him to pick out the office key from a number of others. It was also bright enough for him to avoid stepping on some glass on the ground, so that he could avoid it with his bare feet. He could also distinguish the outlines of the Stanley buildings.
Upon the redirect examination the wit-

ness said that a lamp was overturned on the floor in the kitchen bedroom and its standard badly twisted.

The counsel for the prosecution said after the adjournment of court this after-noon that they probably would be ready to rest their case to-morrow. Probably s a consequence of that there was a con-

as a consequence of that there was a con-ference this evening in the rooms of the Fosburgh family in the Wendell House, in which all the family and a number of their friends as well as their legal adviser

GOV. WHITMARSH EXONERATED. Philippine Commission Dismisses the Charges Made Against Him.

Special Cable Despatch to THE SUN. MANILA. July 23.-The Philippine Commission has reported in the case of Gov. Whitmarsh that the charges of official misconduct involving personal dishonesty in using his official powers for furthering his private ends are untrue. The commission, however, censures Gov. Whitmarsh for vioencounter. The Governor is reminded that he is a peace officer, and is directed to apologize to Secretary Scherer, Mr. Scherer will resign, and Gov. Whitmarsh will return to Banguet at once.

The charges against the Governor had very filmsy support. Among other things he was accused of the unlawful acquisition of seven cows and five pigs, and with causing provincial laborers to work for his private gain, and with making personal use of convict labor.

TRIALS OF FILIPINO "WAR REBRIS." Three Sentenced to Death, but Gen. MacArthus

Commutes the Sentence of One. WASHINGTON, July 23 .- To-day's mail from Manila brought to the War Department copies of several interesting military orders, one of them being the record in the trial of Juan Aganon, a native, on the unusual charge of being a "war rebel." Aganon was tried by a nilitary commission at Gerona, in the Province of Tarlac, Capt. Robert K. Evans, Twelfth Infantry, was President of the commission

and Lieut. George H. Shields, Jr., Judge Advocate The charge against Aganon was that "without being part or portion of any organized

The charge against Aganon was that 'without being part or portion of any organized hostile army, and without sharing continuously in the insurrection, but living habitually at his home, following a peaceful avocation without the character or appearance of a soldier, did order the inhabitants of the Barries of Pura to enter the pueblo for the purpose of assassinating the chief of police and attacking the American troops stationed there, and in compliance with these orders the pueblo of Pura was entered, the chief of police badly wounded and the telephone wires between Pura and Victoria cut."

The commission found Aganon guilty and sentenced the prisoner to be hanged. Gen, MacArthur, however, commuted the sentence to ten years' imprisonment, saying.

"It is shown that the accussed, while living within the lines of the American forces in the guise of habitual peaceful avocation, and without being a portion of any organized hostile army or having the appearance or character of a soldier, did actively exert his energies to the assistance of the enemy and the injury of the American Government, the benefits of whose protection he was accepting. It is shown that in obedience to orders he cut the telephone wires, caused to be executed an attempt at the assassination of the ohief of police of Pura, resulting in the serious wounding of that official, and that he prearranged an attack on the troops there stationed. Of such war rebels the laws of nations and of war have definitely fixed the status and the authorized penaity is that of death. The sentence is confirmed, but, in view of the dominant political aspect of the case, is commuted to imprisonment at hard labor for the term of ten years.

Two other natives charged with being war traitors did not escape death. They were Julian Confesor and Augustin Jilicea. Confesor, while holding the respective offices of Presidente and Vice-Presidente of Cabatuan and while under oath of allegiance to the United States, was systematically assisting the insurgents. He issued orders to

Mexican Central Train Wrecked. El Paso, Tex., July 22.-A southbound train on the Mexican Central Railroad was wrecked near here to-night. Ten passen-

There was a trifling fire early this morning in the cellar of R. Smith & Co., cleak store, at 5s West Fourteenth street, adjoining Macy's. It was soon out.

SOUGHT DEATH TOGETHER?

BOY SAYS THE GIRL SHOT HERSELF -SHE'S DEAD; HE'S BADLY HURT.

Oyster Sloop Girl's Relatives Believe He Shot Her and Then Turned the Pistol on Himself - Deeply in Love With Each Other. Ida Dupuy, who was 16, and Hermann Treets, who was 18, believed that they were all the world to each other. Their parents They were found lying side by side in the bottom of the oyster sloop James K. Polk, off Fresh Kill Creek, Staten Island on Sunday night. Both were desperately wounded. The girl died yesterday morning

in the Smith Infirmary.

Ida Dupuy was the daughter of Austin Dupuy, a prosperous oyster dealer of Staten Island. His home is on the Richmond Hill road not far from Richmond. Ida has been lving for some time with the family of her ousin, William Van Derzee, in New Brighton. She spent Friday night at home.

That same night Hermann Treetz came see her. He was not welcomed by her family The attachment between the boy and the girl had long been beyond the point where was a subject of good-natured comment is the neighborhood. The families of both young persons were quite thoroughly worried by their actions. Mr. Dupuy, who did not know that Mr. Treetz, Hermann's father had just rebuked the boy for running about with the girl so much and for thinking about her to the exclusion of all other subjects. served formal notice on him that he must get out of the house and break off altogether apparent meekness, and after a pro-tracted farewell talk with Ida went away. On Saturday morning Ida, who seemed far from depressed by the separation, went back to her cousin's home in New Brighton. She stayed at the Van Dersee house but very short time, however. One of he. prothers saw her early on Saturday after-noon on a car going toward Richmond from New Brighton. She was apparently alone then, but later in the evening some one saw her with Hermann Treetz in an ice cream place in Richmond

On Sunday afternoon a message was reseived from New Brighton asking whether the girl had decided to leave her cousin's house altogether or not. Then for the first time the Dupuys knew that she had not been at her cousin's home on Saturday night They started a hunt for her. There was a story that they had been at Midland Beach and two of her brothers. Pierre and Vignard, went there to look for her. There was no race of either Ida or Hermann there. They asked for Hermann wherever they went for they were almost certain that he was with their sister

asked for Hermann wherever they went, for they were almost certain that he was with their sister.

While this search was going on, another prother, Christopher, who knew nothing of his sister's disappearance, went for cels in Fresh Kill with a friend, William Sylvester At 5 o'clock they reached the outlet of the creek. About half a mile off shore they were surprised to see Austin Dupt, 's oyster sloop, the James K. Polk. She was usually anchored some distance up the creek. Intliney saw her out in the bay they had not noticed that she was not at her berth. On the deck of the sloop they made out a man. He was sitting with his head in his hands. The young man shouted to him He raised his head and they saw that he was Hermann Treetz. After that they shouted again and again, but he paid no attention to them. Christopher Dupuy went home at once and told his father that Hermann Treetz was out on the Polk and that he had taken the boat from its anchorage. Mr. Dupuy made up his mind then that Ida was on the boat too. "Get a row boat and go out there and bring both of them in. Hurry," he said to Christopher.

Pierre and the other brother, who had

"Get a row boat and go out there and bring both of them in. Hurry," he said to Christopher.

Pierre and the other brother, who had been looking for their sister, want along. Christopher and his friend went out in a row boat to the sloop. As they came alongside they called their sister's name and Hermann Treetz's again and again. There was no answer until the side of their boat rubbed against the side of the Polk. Then they heard a faint groan in the boat's cabin.

Thay leaped aboard the sloop and found their sister and Treetz lying in the cabin according to the story they told afterward. Treetz made a crazy lunge at them as soon as they laid hold of him. According to the story told afterward by Austin Dupuy, without contradiction by the boys, they had to use a good deal of force to quiet him. According to the surgeons who examined him afterward there was little doubt as to some-body's having used force on him, but it was an open question whether he could have had atrength enough to make the use of that force altogether necessary.

The young men found that their sister was quite unconscious. There was a bullet wound in her throat. Treetz's chest was overed with blood from wounds in his throat and neck.

The brothers throw Treetz into the bottom

quite unconscious. There was a bullet wound in her throat. Treetz's chest was covered with blood from wounds in his throat and neck.

The brothers threw Treetz into the bottom of their row boat and then litted their sister in rather more gently. When they reached land they turned Hermann Treetz over to Pierre and Vignard. Pierre also had something to say about the necessity for using force to restrain Treetz. At a late bour on Sunday night Ida Dupuy was carried into the Washington Hotel in Richmond and put to bed. She had not recovered consciousness. Her two brothers, half supporting and half dragging Hermann Treetz, one of them always holding a revolver at the boy's head and muttering aloud his desire to pull the trigger, took him to Richmond Jai.

Surgical aid was summoned from the Smith Infirmary and Ida was taken there. Then the surgeon insisted on seeing Treetz. He found that the boy's condition was but little better than the girls. He, too, was then removed to the hospital. He has a wonderful constitution and there is a small chance that he may pull through.

Hermann was able to talk a little vesterday morning. He said that he and the girl had determined to shoot themselves because their families failed to understand their love. The revolver was his, he said, lie said that they were on the boat together all day Sunday, but he could not be persuaded to tell when they boarded the sloop, Hermann said that Ida had taken the revolver from him and shot herself in the throat. When he was sure she was dead he shot himself twice. There was still a cartridge to finish himself with if he should come to.

In corroboration of the boy's story were two notes found by the police in the bottom of the boat. The notes were addressed to the parents of the two and contained their last farewells.

It was learned yesterday afternoon that Hermann Treetz had appeared at his father's home early on Sunday morning. He said that he was convinced that his father was right in advising him to break with Ida Dupuy and that he was convinc

the trip I am going to make. Then he went away.

The police, who took possession of the letters which were found on the sloop, intimate that in their opinion the girl had not written the letter signed with her name, but that Treetz had written it District Attorney Rawson went aboard the sloop with the police yesterday afternoon and made a careful examination. He found a builet hole in the foreward part of the cabin which looked to him as though it proved that the girl had been shot while she was lying down and that she had not held the revolver herself.

Wireless Telegraphy in the West Indies.

Special Cable Despatch to THE SUN. LONDON, July 22 - The Central News undertands that the Government contemplates the introduction of wireless telegraphy in the West Indies. Trinidad and Tobago will be the first points connected. When the necessary financial arrangements are made this system of communication will be extended between Antigua and Montserrat and St. Kitts and Nevis.

German Squadron from China at Suez.

Special Cable Desputch to THE SUN. SURZ. July 22.-The German squadron from China entered the canal to-day on its way to Cadiz. Field Marshal Count von Waldersee, the former commander of the allied forces in China, is expected to arrive here to-morrow on the North German line steam ship Gern.

Mr. Grau Engages Sybil Sanderson.

Special Cable Despatch to THE SUN. London, July 22 - Sybil Sanderson, the singer, has signed a contract with Maurice Grau for a tour of the United States. She will sail for New York on Sept. 29 and will make her first appearance in San Francisco.

MUST PIGHT IT OUT THEMSELVES.

Gen. Delarey Tells His Commando That Hope of European Intervention Is Gone Special Cable Despatch to THE SUN. CAPR TOWN, July 22 .- It is reported found Lying Side by Side in the Bottom of as

that Gen. Delarey has informed the Klerksdorp Commando that there is no longer any chance of European intervention, and that they must fight the war out to the bitter end entirely on their own account.

PRESSING BACK THE INVADERS. Kitchener Reports on Gen. French's Campaign in Cape Colony.

Special Cable Despatch to THE SUN LONDON, July 22.-Lord Kitchener cable the War Office under to-day's date as follows: Since my last report on July 15 the various columns report that 43 Boers have been killed 26 wounded, 126 surrendered and 100 were taken prisoners. Three thousand one hundred and sixty rounds of ammunition, 126 wagons, 5,000 horses and much stock have been captured.

"Blood's column revisited Rossendale, Transvaul, and cleared the country north of the railway line. In Cape Colony French is gradually pressing the Boers northward."

KING RECEIVES AMERICAN WOMEN. They Ask Him to Accept a Medal Commomo-

rative of the Hospital Ship Maine. Special Cable Despatch to TER SUN. LONDON, July 22 .- At Mariborough Hous this afternoon King Edward received the Duchess of Marlborough, formerly Miss Consuelo Vanderbilt; Mrs. Cornwallis-West, formerly Lady Randolph Churchill; Mrs Ronalds and other American women on the committee of the hospital ship Maine. The object of the call of the deputation was to ask his Majesty's acceptance of a commemorative medal which it was originally intended to present to the late Queen Victoria.

Women to Inspect Boer Refugee Camps.

Special Cable Desputch to THE SUN. London, July 22 .- In the House of Commons this afternoon Secretary of War Brodrick announced the names of the members of the committee of women which is to visit and report on the Boer refugee camps in South Africa. Among those mentioned were Lady Knox, who has had considerable experience in South Africa: the Hon. Mrs. Millicent Garrett Fawcett, LL.D., the widow of the late Postmaster-General, the Rt. Hon Henry Fawcett, and the author of a number of publications on political economy; Lucy Dean, Inspector of Factories, and Miss Scarlett. The first three sailed for Cape Town this morning.

Mrs. Kruger's Last Message, "Trust in God."

Special Cable Despatch to THE SUN. LONDON, July 28 - The Telegraph says that Floff, Mr. Kruger's son-in-law, has telegraphed from Pretoria as follows: "Our well-beloved mother died last night peacefully, and without pain. She said: Tell your father that he must place his firm trust in God

Gen. Baden-Powell's Illness

Special Cable Despatch to THE SUN. London, July 28.-The Times says that the illness of Gen. Baden-Powell is more serious than the public is aware of. he left Cape Town he was prostrated from the long strain he had undergone. He was ordered to entirely cease work for three

Mrs. Kruger Buried.

Special Cable Despatch to THE SUN PRETORIA. July 22 .- The funeral of Mrs. Kruger was held yesterday afternoon. There was a special service in the Dopper Church. opposite the old Presidency, before the body was taken to the cemetery.

Max Muller's Library Goes to Japan.

Special Cable Despatch to THE SUN. LONDON, July 23 .- The Chronicle, commenting on the purchase of the library of the ate Prof. Max Muller by Baron Iwasaki, one of the richest and most scholarly noblemen of Japan, who has presented it to the University of Tokio, on condition that it be accessible to any student engaged in studies similar to those of Max Muller, says that Baron Iwasaki's aid was invoked by Prof. Takukusu and other university professors who studied under Max Muller at Oxford. The library comprises 18.000 volumes and nearly a hundred Sanskrit manuscripts of great value.

Cardinal Martinelli's Successor

Special Colle Desputch to THE SUN. London, July 22 -A despatch to the Chronicle from Rome says that Mgr. Merry del Var has gone to London on a special mission for the Pope. It is believed probable that he will succeed Cardinal Martinelli as Papal Delegate to the United States.

Powler and Travis Play to a Draw on Old St. Andrew's Links.

Special Cable Despot h to THE STIN LONDON, July 22 -Fowler and Travis, the American amateur golf champion, played two rounds on the St. Andrews course today, the game resulting in a draw

Special Cable Desputch to THE SUR. LONDON, July 22.-Mme. Elia Russell, the pera singer, formerly of Cleveland, O., and known on the stage as Mine de Rhighit, gave birth prematurely to a son on a steam-ship. Both are doing well. A good German nurse was found in the steerage.

JOHN L GETS OFF AT BUFFALO Takes the Belt With Him and Shuts Up His Forty-second Street Place

John L. Sullivan has closed his saloon in West Forty-second street because business where he hopes to resume business with Eddie Bald, the bievele rider, as his partner. Trade in Forty-second street fell off because cus-tomers did not like to drink at John's bar on account of the million dollar belt given to him by a grateful people when he was champion of the ring. It was suspended over the bar and the jewels in it dazzled the eyes of the patrons as they threw back their heads to get the last drops. In the new place at Buffalo each customer will have the use of a pair of smoked glasses while he is drinking for the nominal extra charge of 10 cents.

Woman Dead and Bruised in a Basement.

A woman about 45 years old, five feet tall, with dark hair and eyes, was found dead in the basement of a house at 83 Greenwich avenue last night by Daniel Kane the janitor. There was a cut on her head, evidently caused by a fail.

R-I-PA:N-S

Ripans Tabules Doctors find Good prescription For mankind.

One Gives Relief.

At Druggists. 10 for 5 cents.

TUBE WORKERS ORGANIZE:

MEN WHO RECENTLY GOT ADVANCE IN PAY JOIN AMALGAMATED.

Hills at McKeesport and Wellsville Not Started Up-Strikers Form Patrol-Effort to Introduce Non-Union Men in Large Numbers Into the Mills Is Expected Soon McKEFSPORT, Pa., July 22 .- Four thousand tube workers were organized into a lodge of the Amalgamated Association by Secretary M. F. Tighe of the Amalgated Association, in this city to-night. This completes the organization of the great National Tube Company's plant here and places the union in a position to push the fight further into the enemy's territory.

The organization of the tube workers into the Amalgamated is a new departure for that the Amalgamated is a new departure for that organization which has always heretofore confined its efforts to the fron steel and tin workers. It is in line, however, with the often declared policy of President Theodore Shaffer, who favors the organization of every employee in the iron trades, skilled and unskilled, into one organization.

The meeting to-night was held in Haber Hall, the headquarters of the local lodge of the Amalgamated. The tube workers were represented by a committee selected from the men of the lap weld, but weld, coupling and other departments. Every department of the great concern was represented and over 75 per cent. of the men signed the roster.

This new move apparently disposes of the gossip that has been indulged in that the 10 per cent raise given the men last week would prevent their joining the Amalgamated Association and possibly joining the atrike.

The Wood strikers were a tired and sleepy lot to-day, after their vigil last night, when they were looking for non-union workmen to arrive by boat. No attempt was made to-day to start the Wood mills. The fires that had been kindled in two of the furnaces died out and this evening there is no sign of any intended resumption. The men have pickets out to-night and are watching all the avenues by which men may be introduced into thi mills. organization which has always heretofore

WELLSVILLE, Ohio, July 22 —The looked-for attempt of the American Sheet Steel Com-pany to start its plant here to-day with non-union men did not materialize, and the strik-ers and their friends are still waiting for de-

ers and their friends are still waiting for developments.

All night long and until early morning a party of Amalgamated men patrolled the town watching for the approach of the non-union men who were expected from Vandargrift. Pickets were thrown out near the works, but no new men entered the mill and at 4:45 o'clock this morning the last guard went home.

The town was quiet at daybreak. At 5 o'clock there was more life and while none of the officers of the company could be seen, strikers were in evidence. They asserted that they had gained ground since yesterday.

According to their figures, two men who were working on Saturday have been induced to quit and the company has not obtained men to take their places. These men, so the strikers claim, were brought here last week from Vandergrift.

Three mills are working this morning the same number as last week. It is admitted by the strikers that from 18 to 25 men are at work.

the same number as last week. It is admitted by the strikers that from 18 to 25 men are at work.

Pirrasung, July 22.—The American Steel Hoop Company did not attempt to resume work at the Painter mills, on the South Side, this morning, but its failure to make the move expected by the strikers is not significant. The start has been postponed, but the determination to man the plant with non-union men has not been abandoned.

Theodore Shaffer, President of the Amalgamated Association, gave out his usual interview to-day, telling of his hopes for success. It does not seem probable that the strikers can induce the workmen to go out of any more mills of the American Sheet Steel, Steel Hoop and Tin Plate companies, nor that the companies can induce the strikers to return to work by simply playing a waiting game. Therefore, the first move of the companies to introduce non-union men in large numbers into the mills is expected to be made soon.

It is stated on the highest authority that the Wheeling Steel and Iron Company of Wheeling. W Ca. has signed the Amalgamated scale of wages for its steel mill known as the Top Mill. This firm, however, operates two other mills. Known as the Belmont Works and the Benwood Works. Both of these are strongly non-union, no recognition heing given to the Amalgamated Association in signing the wage scale for the Top mill, while the other two works of the Wheeling company are non-union is entirely inconsistent with the associations conduct toward the American Sheet Steel Company, whose officers offered to sign the scale for the mills controlled by the union. The Amalgamated Association declined to agree to this. The steel min are wondering what is behind this discrimination.

SHARON STEEL PLANT STRIKE.

SHAROW, Pa., July 22 .- The big works of the American Steel Casting Company is crippled, the result of a succession of strikes,

the most serious of which occurred this morn-On last Tuesday the company imported a number of machinists to fill the places of a number of machinists to fill the places of strikers. This led to a strike of the chippers, who refused to work with the imported men. Last night the company brought in two carloads of non-uplen men from the eastern part of the State in a special train under protection of special defectives. The men left the train at the works where the company has fitted up a complete boarding and lodging house.

has fitted up a complete tourish the house.

This morning when they reported for duty the moulders, their apprentices, chaintien and crane men threw down their tools and refused to continue work as long as the imported men were retained. The company positively refused to discharze the new men and as a result the old hands declared a general strike. The plant is rushed with orders and with the shortage of hands is hadly handlianned.

orders and with the shortage of hands is badly handloapped. President Daniel Eagan is determined to break the strike and will fill the strikers' places with non-union employees. Fifteen deputies are on duty at the plant.

TIN PLATE MEN WORK

men in Monessen. Monessen, Pa., July 23 -Although the Anialgamated Association tried all last week to organize the men at the American Tin Plate Company's mill here, the works went Plate Company's mill here, the works went on full this morning, and in consequence the Amaigamated men, who are the ones who struck at the Steel Hoop plant here are very angry, and threaten to bring the men out with force.

Many workmen say that if they strike and the tin plate mill should be removed from Monessen they will be unable to work in any other mill, as patented machinery is used and the patents are owned by W. H. Donner, who formerly owned the mill and now manages it for the trust.

TRADE UNIONS CAN BE SUED

Which Appeal Court Had Set Aside. Special Cable Despatch to THE SUN.

LONDON, July 23 -The newspapers regard as of far reaching importance a judgment delivered by the House of Lords yesterday. deciding that a trade union registered under the Trade Union act can be sued at law. restores the previous ruling, which the Appeal Court set aside in November.

The Times says that the decision entirely The Times says that the decision enterly alters the privileged position that unions were generally supposed to enjoy, and deprives their of an immunity which has been often grossly abused. It declares that they have neither greater nor less responsibilities for the acts of their servants and agents than the rest of his Majesty's subjects.

FIREMEN GO BACK TO WORK TO-DAY Feeling Against the Mine Workers. Who Refused to Aid Them. Bitter.

WILKES-BARRE, Pa., July 22. - The formal order directing the firemen of the anthracite coal regions, who have been on strike, to return to work, was issued at 10 o'clock to-night by State President Mullahy and State Secretary Gerrity. At a meeting lasting all the evening the committees that waited on the operators expressed the willingness of the operators to take back all who were on strike. The firemen also made the stipulation that the engineers who were discharged at many collectes for refusing to take the places of the firemen he also rematted, and this was satisfactory to most of the operators, too, but some are objecting and the firemen will endeavor to adjust their cases to-morrow. The men will return to work to-morrow morning. The feeling against the mine workers on the part of the firemen is still very bitter because the firemen believe that with the mine workers on their side they could readily have won the strike in a week, whereas they now have to work the twelve hours until next April, with the chances of getting a reduction then doubtful. The whole policy of the mine workers throughout the strike has been to end it, and force the firemen into the Mine Workers Union. by State President Mullahy and State Secre-



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HOW CHINA WILL PAY.

Commissioner Rockhill Reports an Agreement on the Indemnity Plan.

WASHINGTON, July 28 .- Special Commissioner Rockhill to-day telegraphed to the State Department from Pekin that the representatives of the Powers there had adopted the plan for the payment by China of the \$50,000,000 taels demanded as indemnity. Mr. Rockhill says that the demortization of the bonds to be issued will begin in 1902, and it is intended that principal and interest shall be entirely paid in 1940.

In 1940.

The plan to which Mr. Rockhill refers provides that China shall raise 28,000,000 tasis annually, to be divided into principal and interest. The first year the interest payments will amount to 18,000,000 taels, leaving 5,000,000 taels to be applied to a sinking fund. Each year the interest, at the rate of 4 per cent., will be reduced in consequence of the reduction of the in consequence of the reduction of the principal by the amount in the sinking

TUAN NOT LEADING A REVOLT

House of Commons Gets Reports From the Government on Chinese Affairs. Special Cable Despatch to THE SUN.

LONDON, July 22 -- In the House of Comnons this afternoon Viscount Crenborne, Under Secretary for Foreign Affairs, said the latest information in regard to the whereshouts of Prince Tuan in China was that be was with a relative, a Mongol Prince. There was no information to the effect that he was at the head of a considerable force of troops Lord Cranborne also stated that the foreign troops in Shangbai at the present time were

British, 1,945; French, 750, with six guns; Germans, 850, with from four to six guns, and soo Japanese. Sir Michael Hicks-Beach, Changellor of the Exchequer, stated that the cost of the military operations in China up to the present time was £4,500,000. This, of course, did not include the naval expenses, which it was impossible to estimate.

RAVREUTH SEASON OPEN.

"The Flying Dutchman" Presented Before the Usual Large Crowd of Wagner Lovers. Special Cable Desputch to THE SUR.

BAYREUTH, July 22.-The Wagner festival pened to-day with "The Flying Dutchman." its first performance here. While one of the least popular of Wagner's works, as rendered to-day it aroused the greatest anthusiimpressive figure and sang magnificently Emmy Destinn, from the Berlin Opera House though pleading illness, made a sympathetic Senta. Her voice is of beautiful quality Mme. Schumann took the part of Mary and Herr Burgstaller that of Eric The orchestra and chorus, conducted by Felix

Mottl, were remarkably fine. The crowd was as great as ever. Many who came here on the chance of getting dekets were disappointed. Large numbers of Americans and musical people were present including Mme. Patti, Arthur Nikisoh, Edward Colonne, Otto Floersheim, Henry Wolfschn and Secretary of Embassy Jackson and his family. Two New Yorkers figure in the list of leading singers during the festival, Bora Anderson, as Gutrus in the "Ootterdammerung," and in small parts in "Parsifal" and "Die Walkure," and Robert Blass, as Gurnemans and Titurel in "Parsifal" and Hogen in the "Gotterdammerung."

ANOTHER GERMAN BANKER A STICIDE. Act Due to a Business Faffure - The Leipzig Bank Report.

Special Cable Despotch to THE STIN. The Amaigamated Pails to Organize Work-BERLIN, July 22. - At a meeting of the cred!ors of the Leipzig Bank to-day the receiver stated that the liabilities were 5.000,000 marks and the assets 46,000,000 marks. This latter was exclusive of 87,000,000 marks owed to the bank by Treber, Trocknung & Co. Cassel, of which amount only four or five million marks could probably be recovered. Director Gerhard of the Terlinden Company has absconded. His deficit is supposed to amount to 8,000,000 marks and fifteen firms in Berlin and the provinces are in

volved. Banker Salo Rawiez of Berlin has committed suicide. His act is believed to be due to the failure of the Treber Trocknung Com-

YELLOW FEVER NEAR HAVANA.

Five Cases at Santiago de las Vegas-Gen. Wood to Sall on Saturday.

Special Cable Despatch to THE SUN HAVANA, July 22.- Five cases of yellow fever are reported at Santiago de las Vegas, a town of 6,000 inhabitants thirteen mil s from Havana. All the sufferers are Spaniards. The disease apparently began there. Dr Gogas has gone to the place to see that the

proper precautions are taken to kill mosquitoes and disinfect the town. Governor General Wood is expected to eave here Saturday on a Ward Line steamer. He will disembark at Quarantine, New York, and board the despatch boatKanawha, which will be waiting for him. Gen. Wood expects to convalence quicker cruising on the Kanawha. He has had no fever for five days.

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